

By: Olivo

H.B. No. 2478

A BILL TO BE ENTITLED

AN ACT

relating to discipline for certain conduct of a student enrolled in a school district special education program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 37.001(b-1), Education Code, is amended to read as follows:

(b-1) The methods adopted under Subsection (a)(8) must provide that a student who is enrolled in a special education program under Subchapter A, Chapter 29, may not be disciplined for conduct prohibited in accordance with Subsection (a)(7) until an admission, review, and dismissal committee meeting has been held to review the conduct and may be disciplined for that conduct only in accordance with procedural due process safeguards for a student enrolled in a special education program or the student's parent as required under:

(1) this subchapter, Subchapter A, Chapter 29, or another provision of this code;

(2) rules adopted under a provision described by Subdivision (1); or

(3) federal law or regulations.

SECTION 2. This Act applies beginning with the 2009-2010 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2009.